

By KASZM

H B. No. 110

A BILL TO BE ENTITLED

AN ACT

making it a crime to commit a crime of violence against the person or property of another without having first notified the victim of his intent to commit the crime and of the victim's rights; providing penalties; amending Title 19, Penal Code of Texas, 1925, as amended, by adding Chapter 20; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Title 19, Penal Code of Texas, 1925, as amended, is amended by adding Chapter 20 to read as follows:

"Chapter 20. NOTICE OF INTENT TO COMMIT A CRIME

"Article 1726. FAILURE TO WARN VICTIM OF CRIME. (a) A person commits an offense if he commits a crime against the person or property of another without having given sufficient notice to the victim of his intent to commit the crime.

"(b) The notice required by this article may be either oral or in writing and shall be sufficient if it is delivered at least twenty-four (24) hours prior to the commission of the crime; states the nature of the crime to be committed and the time and place it is to be committed; and apprises the intended victim of his rights under the Constitutions of the United States and of Texas in his person and property intended to be violated and to protect or obtain protection of his person and property.

"(c) Delivery shall be sufficient if it is made to the intended victim unless the person knows that the intended victim

1 is a minor or is incapable of either appraising the nature of the
2 intended crime or of resisting it as a result of mental disease
3 or defect, in which event the notice shall be delivered to the
4 intended victim's parent or guardian.

5 "(d) An offense under this article is punishable in addition
6 to the punishment for the crime actually committed by the highest
7 punishment for the crime actually committed."

8 Sec. 2. The importance of this legislation and the crowded
9 condition of the calendars in both houses create an emergency and
10 an imperative public necessity that the constitutional rule
11 requiring bills to be read on three several days in each house
12 be suspended, and this rule is hereby suspended, and that this
13 Act take effect and be in force from and after its passage, and
14 it is so enacted.

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FILED

JAN 17 1973

READ 1ST TIME

AND REFERRED TO COMMITTEE ON

*Criminal Jurisprudence**Dorothy Hallman*

JAN 18 1973

Chief Clerk, House of Representatives